

In re Application of Charles Ray Masters, et al.
Application No. 10/810,931

REMARKS

The Pending Claims

Claims 1-25 are currently pending in the application. Of these, Claims 1-19 have been withdrawn from consideration following a Restriction Requirement. Accordingly, Claims 20-25 are currently under consideration.

Summary of the Office Action

Claims 20-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yilgör et al. (US 5,521,273) in view of Lacy (US 3,173,189.)

Discussion of the Rejection

While Applicant maintains its previously-stated position that Yilgor fails to disclose a coating that is a **combination** of the two claimed types of urethane, but in the interest of expediting issuance of the application, has amended Claim 20 to explicitly recite that the first urethane is blended with the second urethane. Support for this characteristic is found in the application on p. 6, lines 11-16, for example, and in the related application (that was incorporated by reference) on p. 7, lines 22-24, for example. ("A small amount of low elongation polymer blended with a higher percentage of higher elongation polymer provides the flame retardant fabric with both the desired hand and resistance to mark-off.") The Examiner acknowledges that "the primary reference teaches two coating layers" (Office Action p. 3), so clearly these two distinct coating layers cannot be said to be blended together. Furthermore, there is no disclosure or suggestion in Yilgor to blend the two distinct coatings described therein. Therefore, it respectfully requested that the rejection be withdrawn.

Conclusion

In view of the foregoing, the application is considered in proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone interview would expedite prosecution of the instant application, the Examiner is invited to call the undersigned.

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Respectfully submitted,



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